# **PUBLIC NOTICE**

US Army Corps of Engineers \* New England District 696 Virginia Road Concord, MA 01742-2751 Comment Period Begins: December 13, 2016 Comment Period Ends: January 13, 2017

File Number: NAE-2016-01686 In Reply Refer To: Cori M. Rose

Phone: (978) 318-8306

E-mail: cori.m.rose@usace.army.mil

The District Engineer has received a permit application to conduct work in waters of the United States from **Town of Greenwich, Connecticut Dept. of Public Works c/o James Michel, 101 Field Point Road, Greenwich, Connecticut 06830.** This work is proposed in Binney Park Pond/Cider Mill Brook at the intersection of South Beach Avenue and Laddins Rock Road, Greenwich, Connecticut. The site coordinates are: Latitude 71.037564 N and -73.569956 W.

The work involves the placement of fill and grading below ordinary high water (OHW) for construction of two sediment forebays totalling 16,000 square feet and deepening of the recreational pond to design grades. The proposed improvement will result in the fill/alteration of 1,315 square feet (0.03) of palustrine emergent fringe wetland and indirect impact over 139,392 square feet (3.2 acres) below OHW associated with the excavation of 9,500 cubic yards of sediment and grading. The excavated material will be dewatered within the pond or on adjacent upland areas within the park and reused in upland areas on site or disposed of elsewhere in an approved upland location. Although deepening is expected to be completed with mechanical methods (backhoe), it may occur either hydraulically or mechanically, as determined by the contractor. If a temporary construction bypass is required it will be designed to exceed a flow of 2 cubic feet per second daily flow. The project will also include maintenance of an existing flow control weir (normal surface elevation of 1.5 feet), construction of an identical flow control weir between the two pond catchments, rock toe stabilization and upper bank revegetation along 650 linear feet of shoreline and fiber roll toe stabilization over 100 linear feet of shoreline.

The purpose of the proposed work is removal of accumulated sediment to arrest shoreline erosion and restore water quality and functional recreational use of the pond.

The work is shown on the attached plans entitled "TOWN OF GREENWICH, CONNECTICUT, BINNERY PARK POND, MAINTENANCE DREDGING AND BANK RESTORATION," on 14 sheets and dated "June 2016," revised through "October 26, 2016."

Alternatives considered to the current design for deepening included modification to only the upper pond, construction of two separate sediment forebays and permanent stone mattress installation for maintenance access. Impacts have been minimized by eliminating fill over a 16,500 sf area for permanent maintenance equipment access and 100 linear feet reduction in amount of rock toe stabilization proposed. Compensation is proposed on-site and includes reestablishment of a 1,680 square foot planted littoral shelf consisting of native wetland vegetation; bank and shoreline enhancement using planted native trees and shrubs and replacement of turf grass areas disturbed by the construction with a wildlife conservation grass mix.

# **CENAE-R** FILE **NO. NAE-2016-01686**

#### AUTHORITY

Permits are required pursuant to:
Section 10 of the Rivers and Harbors Act of 1899
X Section 404 of the Clean Water Act
Section 103 of the Marine Protection, Research and Sanctuaries Act.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972, as amended.

#### NATIONAL HISTORIC PRESERVATION ACT

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s)

#### CENAE-R FILE NO. NAE-2016-01686

#### ENDANGERED SPECIES CONSULTATION

The New England District, Army Corps of Engineers has reviewed the list of species protected under the Endangered Species Act of 1973, as amended, which might occur at the project site. It is our preliminary determination that the proposed activity for which authorization is being sought is designed, situated or will be operated/used in such a manner that it will have no effect on any Federally listed endangered or threatened species or their designated critical habitat. By this Public Notice, we are requesting that the appropriate Federal Agency concur with our determination.

The following authorizations have been applied for, or have been, or will be obtained:

- ( ) Permit, License or Assent from State.
- (X) Permit from Local Wetland Agency or Conservation Commission.
- (X) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions, please contact Ms. Cori M. Rose at (978) 318-8306.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

Robert J. DeSista

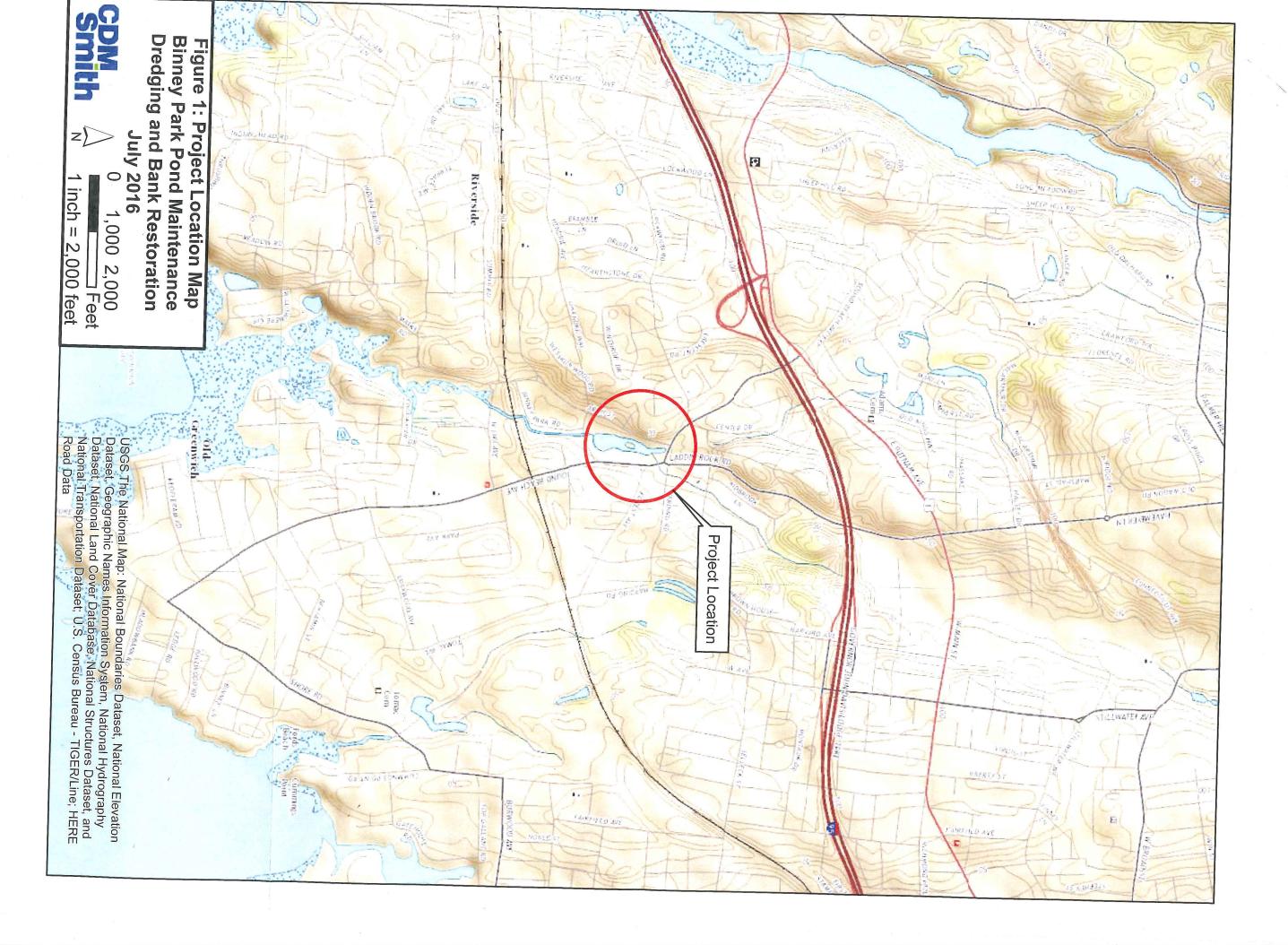
Chief, Permits and Enforcement Branch

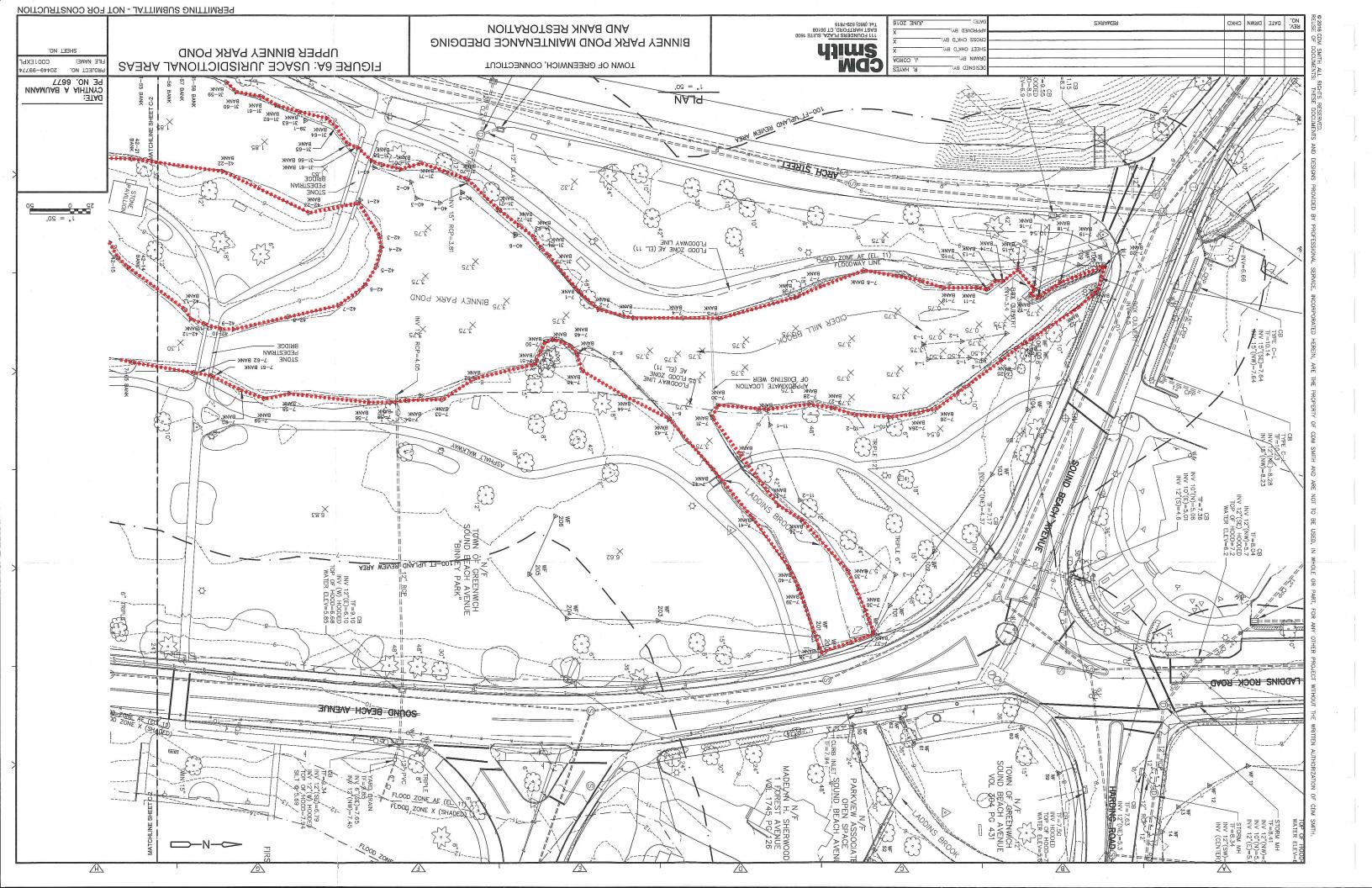
**Regulatory Division** 

### CENAE-R FILE NO. NAE-2016-01686

If you would prefer not to continue receiving Public Notices by email, please contact Ms. Tina Chaisson at
(978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here ( ) and return
this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers,
696 Virginia Road, Concord, MA 01742-2751.

NAME:				
ADDRESS:			 	
PHONE:				





# TOWN OF GREENWICH, CONNECTICUT BINNEY PARK POND

MAINTENANCE DREDGING AND BANK RESTORATION

#### **DEPARTMENT OF PUBLIC WORKS**

AMY J. SIEBERT, P.E. COMMISSIONER OF PUBLIC WORKS 101 FIELD POINT ROAD GREENWICH, CT

JAMES W. MICHEL, P.E. DEPUTY COMMISSIONER OF PUBLIC WORKS PHONE: 203-622-7767 FAX: 203-622-7747

#### **ENGINEERING DIVISION**

GABRIELLA M. CIRCOSTA—COHEE, P.E. PROJECT ENGINEER PHONE: 203—622—7767 FAX: 203—622—7747

JUNE 2016
REVISED OCTOBER 2016
"CALL BEFORE YOU DIG"
1-800-922-4455

Water

#### **TOWN PROJECT NO. 13-15**



LOCUS LOCATION

#### PERMITTING SUBMITTAL - NOT FOR CONSTRUCTION

## **CDM** Smith

**EAST HARTFORD, CONNECTICUT** 

Environment

#### **Facilities**

## LIST OF DRAWINGS

SHEET	TITLE				
G-1	LEGEND AND NOTES				
C-1	EXISTING CONDITIONS - UPPER BPP				
C-2	EXISTING CONDITIONS LOWER BPP				
C-3	SITE PREPARATION AND EROSION AND SEDIMENT CONTROL PLAN — UPPER BPP				
C-4	SITE PREPARATION AND EROSION AND SEDIMENT CONTROL PLAN — LOWER BPP				
C-5	SITE PLAN - UPPER BPP				
C-6	SITE PLAN - LOWER BPP				
C-7	PROFILES				
C-8	DETAILS I				
C-9	DETAILS II				
C-10	DETAILS III				

Transportation Energy

- 9. EROSION AND SEDIMENTATION CONTROL DEVICES SHALL BE INSPECTED BEFORE AND AFTER EACH PREDICTED STORM EVENT AND REPAIRED OR REPLACED AS NECESSARY, ANY ACCUMULATED SILT ADJACENT TO THE BARRIERS SHALL BE REMOVED.
- D. THE OWNER RESERVES THE RIGHT TO IMPOSE ADDITIONAL CONDITIONS ON PORTIONS OF THIS PROJECT TO MITICATE ANY IMPACTS WHICH COULD RESULT FROM SITE EROSION, OR ANY NOTICEABLE DEGRADATION OF SURFACE WATER QUALITY DISCHARGING FROM THE SITE.
- 11. PROTECT AND MANAGE ON AND OFF-SITE MATERIAL STORAGE AREAS, PROPERLY MANAGE ON-SITE CONSTRUCTION WASTE MATERIALS AND FUELING OF CONSTRUCTION EQUIPMENT.
- 12. ALL SUPPS GREATER THAN 3:1 AS WELL AS PERMETER DIVES, SEDIMENT BASINS OR TRAYS, AND DUBANKNORTH MUST, IPON COMPLETON, BE IMMEDIATELY STRAILLZED WITH 500 OR SEED AND ANCHORED STRAW MULCH, OR OTHER APPROVED STABILIZATION MEASURESSLAL TEMPORARY EMOSSION AND SEDIMENT CONTROL MEASURES SHALL BE FERMANDENT YSTRAILLZED WITH 500 ORS OF REGOVER.
- 3. ALL PREVIOUSLY DISTURBED LAND SHALL BE STABILIZED BY APPROVED METHODS WITHIN 14 DAYS. THIS INCLUDES STOCKPILES. CONSTRUCTION ENTRANCES, GRADED AREAS, AND OTHER CONSTRUCTION ACTIVITIES
- 14. ALL TREES CREATER THAN 4 INCHES IN DIAMETER SHALL BE PROTECTED AS SPECIFIED. TREES SHALL NOT BE REMOVED EXCEPT BY EXPRESS PERMISSION FROM THE ENGINEER OR OWNER
- 15. AM DEDILATE STOCKPILE OF EROSION CONTROL MATERIALS. SHALL BE ON SITE AT ALL TIMES IN AN EASILY ACCESSIBLE LOCATION FOR EMERGENCY OR ROUTINE REPLACEMENT AND SHALL INCLUDED MATERIALS TO REPLAY OR REPLACE STRAW WAITLE, STRAW BALES, EROSION CONTROL BUANKETS, STONE RIPRAP, FILTER BERNS OR ANY OTHER DEVICES PLANNED FOR USE DURING CONSTRUCTION.
- 16. THE AREA OF CONSTRUCTION SHALL REMAIN IN A STABLE CONDITION AT THE CLOSE OF EACH CONSTRUCTION DAY, EROSION CONTROLS WILL BE INSPECTED AT THIS TIME, AND REPAIRED, REINFORCED OF REPLACED AS NECESSARY.
- 17. F SOILS ARE TO BE DISTURBED FOR LONGER THAN THIRTY DAYS, A TEMPORARY COVER OF RYE OR OTHER GRASS SHOULD BE ESTABLISHED TO PREVENT EROSION AND SEDIMENTATION. IF THE SEASON IS NOT APPROPRIATE FOR PLANT GROWTH, GRADING SHALL BE ACCOMPLISHED AS DIRECTED BY THE ENGINEER.
- 18. ALL DROSED SOIL FINISH GRADD SURFACES SHALL BE REPAPPED, LOMED, SEEDER, MULCHED OR OTHERWISE PROTECTION AND STRAILZED WITH A LAYER OF STRAW WAS WHITEN 14 DAYS. WHERE INCESSARIN, THE CLAM AND SEED SHALL BE FABILIZED WITH A LAYER OF STRAW HAV USED. CHARD CHARGE OF STRONG HAVE SHALL BE STABLIZED WITH A LAYER OF STRAW HAV USED. CHARGE OF STRONG HAVE SHALL BE STABLIZED WITH A LAYER OF STRAW HAV USED. SHALL BE STABLIZED WITH A LAYER OF STRAW HAV USED. CHARGE OF STRONG HAVE SHALL BE STABLIZED WITH A LAYER OF STRAW HAV USED. SHALL BE STABLIZED WITH A LAYER OF STRAW HAV USED. SHALL BE STABLIZED WITH A LAYER OF STRAW HAV USED. SHALL BE STABLIZED WITH A LAYER OF STRAW HAV USED. SHALL BE STABLIZED WITH A LAYER OF STRAW HAV USED. SHALL BE STABLIZED WITH A LAYER OF STRAW HAV USED. SHALL BE STABLIZED WITH A LAYER OF STRAW HAV USED. SHALL BE STABLIZED WITH A LAYER OF STRAW HAV USED. SHALL BE S
- 19. NO DISTURBED AREAS OF STOCKPILED MATERIAL SHALL BE LEFT UNPROTECTED OR WITHOUT EROSION CONTROLS DURING ANY POINT IN THE CONSTRUCTION.
- 20, PERMANENT SEEDING SHALL BE UNDERTAKEN IN THE SPRING, EARLY SAMMER, OR EARLY FALL WHEN SEEDING TO BE IMPRACTICAL APPROPRIATE TEMPORARY STABILIZATION SHALL BE APPLIED, PERMANENT SEEDING MAY TAKE PLACE DURING THE SUMMER, ONLY IF PLANS PROVIDE FOR ADEQUATE MULCHING AND WATERING.
- 21. SUBSEQUENT TO SEEDING, DISTURBED AREAS WILL BE COVERED WITH STRAW MULCH, EROSION CONTROL BLANKET OR NETTING, OR OTHER SUITABLE MATERIAL IN ORDER TO PROVIDE AN ADEQUATE SURFACE PROTECTION UNTIL SEED GERMANION. PREFERENCE SHOULD BE GIVEN TO EROSION CONTROL NETTING WITH BIODEGRADABLE NETTING.
- 22. CONTRACTOR SHALL BYPASS FLOWS FROM 7'41.5' BOX CULVERT, 21"X3' BOX CULVERT AND 7'43' BOX CULVERT AND 7'43'
- 23, CONTRACTOR IS RESPONSIBLE FOR ANY SNOW REMOVAL AND DEIGING OPERATIONS REQUIRED FOR SAFE WORKING CONDITIONS IN WORK AREA, SEDIMENT DEPOSIT SITE, AND APPROVED TRANSPORT ROUTE.



DATE: CYNTHIA A BAUMANN PE NO. 8677 PROJECT NO. 20449-0977

PROJECT NO. 20449-09774 FILE NAME: CDD1LGND.DWG

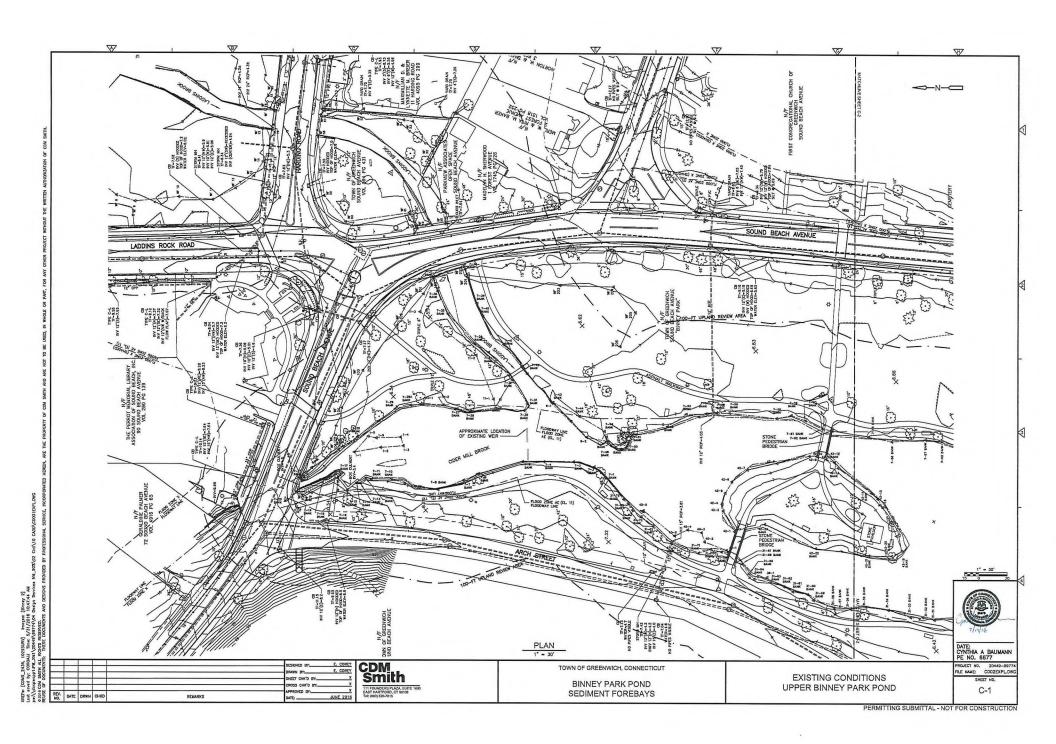
ND NOTES

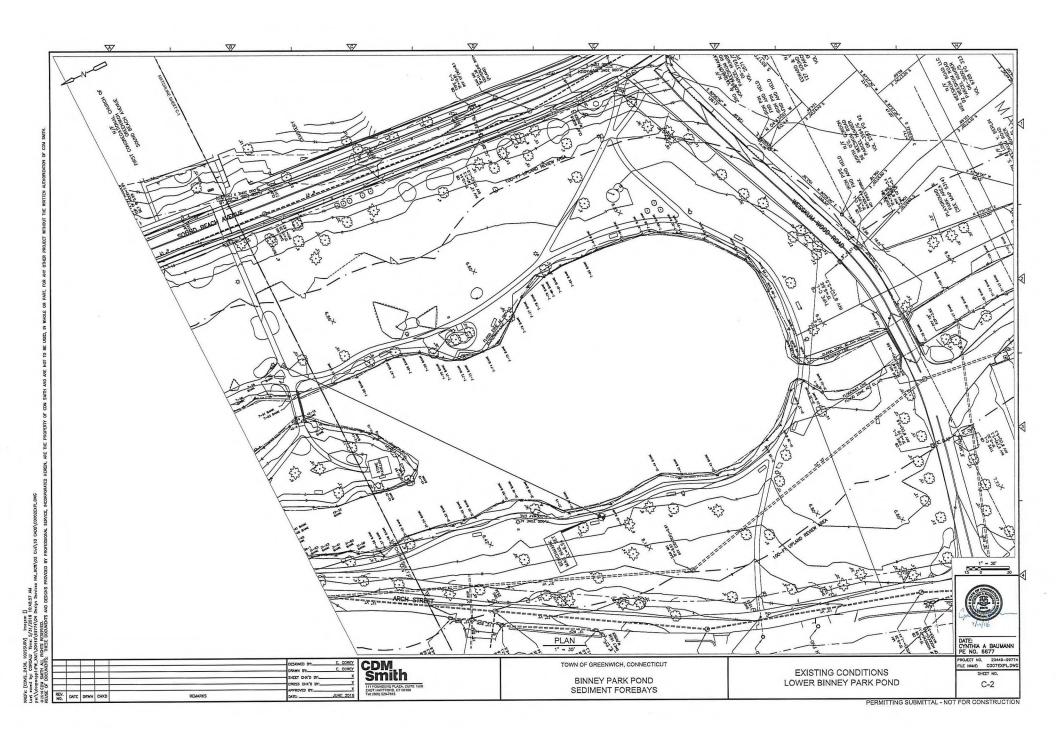
CDM Smith

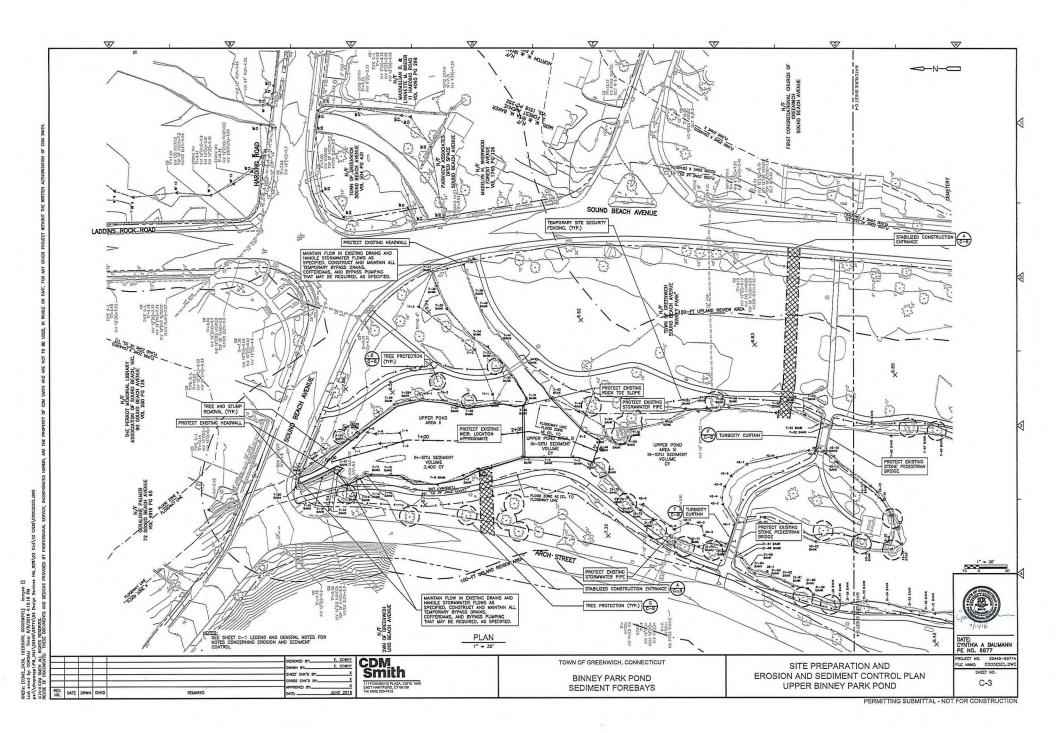
11 FOUNDERS PLAZA, SUITE 1650
EAST HARTFORD, CT 06108
Tat (800) 523-7615

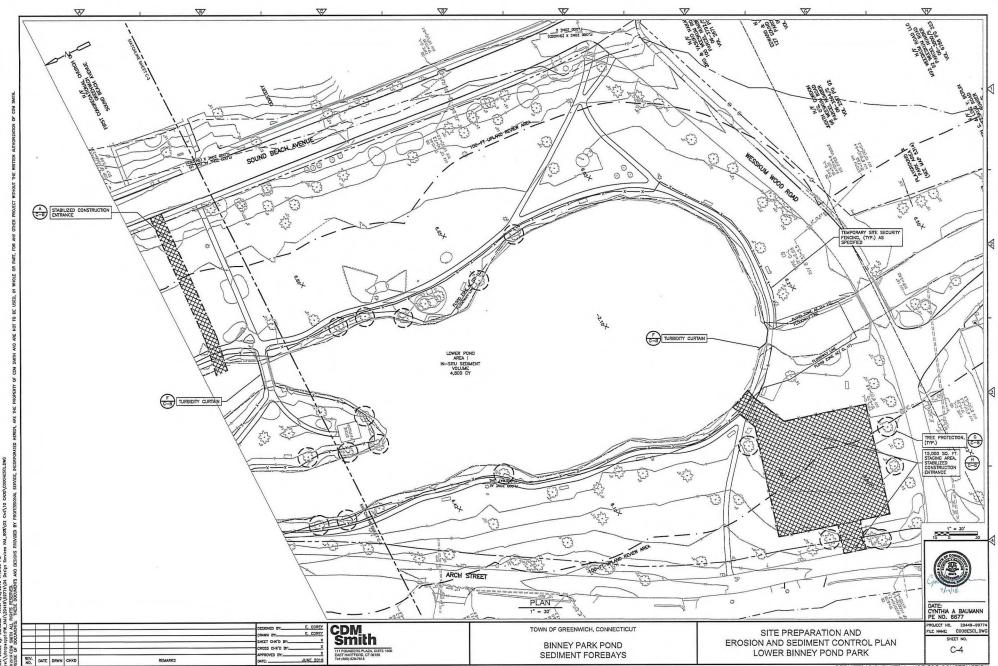
TOWN OF GREENWICH, CONNECTICUT

BINNEY PARK POND SEDIMENT FOREBAYS









PERMITTING SUBMITTAL - NOT FOR CONSTRUCTION

